

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

BIS ADVANCED SOFTWARE SYSTEMS, LTD.,

Plaintiff,

v.

RED BEND SOFTWARE, INC.,
RED BEND, LTD.,
TIME WARNER INC.,
ICQ, INC.
INSTALLSHIELD SOFTWARE CORP.,
and
SCAN SOFT, INC.

Defendants.

Civil Action No. 04cv11960 (RWZ)

ASSENTED TO MOTION TO FILE UNDER SEAL

Pursuant to Local Rule 7.2, Defendants Red Bend Software, Inc., Red Bend, Ltd., ICQ, Inc., and Installshield Software Corp. (collectively “Defendants”) hereby move for leave to file their *Memorandum in Support of Defendants’ Motion to Compel Production of Documents and a Proper Rule 30(b)(6) Witness and for Sanctions* (“Memorandum”) under seal. As grounds for this motion, Defendants state as follows:

The above referenced document contains excerpts of a deposition transcript and attaches pages from the transcript as well as other documents that were designated by Plaintiff’s counsel as Highly Confidential under the Protective Order entered in this case. Accordingly, pursuant to the terms of the Protective Order in place in this action, Defendants may only submit these materials to the Court if they are submitted under seal.

WHEREFORE, Defendants requests that this Court grant leave to file the above referenced document under seal.

**RED BEND SOFTWARE, INC., RED BEND,
LTD., ICQ, INC. and INSTALLSHIELD
SOFTWARE CORP.**

/s/ Brenda R. Sharton

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Dated: October 20, 2005

LOCAL RULE 7.1 CERTIFICATION

Pursuant to Local Rule 7.1(A)(2), the undersigned counsel hereby certifies that counsel for Defendants has spoken with counsel for Plaintiff who assented to the relief requested in this motion to file under seal.

/s/ Anastasia M. Fernands

Anastasia M. Fernands